

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



**CORRECTED
FISCAL NOTE**

HB 112 - SB 100

April 4, 2021

SUMMARY OF BILL: Creates the SAME (state as a model employer) program for the purpose of ensuring that state agencies and departments design and proactively implement best, promising, and emerging policies, practices, and procedures related to the recruitment, hiring, advancement, and retention of qualified individuals with disabilities. Requires the Commissioner of the Department of Human Resources (DHR) to administer the SAME program.

ESTIMATED FISCAL IMPACT:

On May 3, 2021, the Department of Finance and Administration provided information certifying the Department of Human Resources could absorb the increased expenditures associated with the proposed legislation. The fiscal note has been corrected to clarify no additional appropriations are needed for the proposed legislation.

(CORRECTED)

Increase State Expenditures - \$196,400/FY21-22

\$188,400/FY22-23 and Subsequent Years

The FY21-22 budget bill which passed the General Assembly on April 29, 2021 included \$265,800 for two additional positions within the Department of Human Resources. These positions can absorb the additional workload resulting from the proposed legislation without additional funds being appropriated. The constitutional requirement for first year funding has been met.

Corrected Assumptions:

- This program will require adoptions of rules, policies, and directives, training and technical assistance, and development of voluntary self-evaluation to track progress made in this effort to promote best hiring practices for qualified individuals with disabilities.
- Many of these necessary practices are currently used at the DHR through its existing Equal Employment Opportunity (EEO) program.
- The EEO Division provides training to state agencies on the requirement of the Americans with Disabilities Act and the EEO director ensures all state agencies submit an annual EEO plan and provides training and resources where needed.

- This legislation will require that DHR take a more proactive approach in identifying best practices with regards to the recruitment, hiring, advancement, and retention of qualified individuals with disabilities.
- DHR will require two additional positions, an HR Program Director 3 and a Program Manager 2 to help lead this new initiative.
- These positions will work closely with existing DHR employees to fulfil the requirements of this legislation.
- A recurring increase in state expenditures of \$188,402 [(\$80,544 Program Director 3 salary + \$20,124 benefits + \$1,200 travel + \$1,000 supplies + \$1,000 communications + \$2,500 training) + (\$59,676 Program Manager 2 salary + \$16,658 benefits + \$1,200 travel + \$1,000 supplies + \$1,000 communications + \$2,500 training)] and a one-time increase in state expenditures of \$8,000 [2 positions x (\$3,000 office furniture + \$1,000 computer)].
- These positions will be filled on July 1, 2021.
- An increase in state expenditures in FY21-22 of \$196,402 (\$188,402 + \$8,000).
- An increase in state expenditures in FY22-23 and subsequent years of \$188,402.
- The FY21-22 budget which passed the General Assembly on April 29, 2021 included an increased appropriation of \$265,800 for two additional positions for the DHR, within the EEO office, in compliance with the Americans with Disabilities Act.
- According to the DHR and the Department of Finance and Administration, such additional positions can be utilized to accomplish the requirements of this legislation and DHR will not require additional funding or resources; therefore, the constitutional requirement for first year funding is met.

IMPACT TO COMMERCE:

NOT SIGNIFICANT

Assumption:

- The provisions of this legislation could eliminate some barriers for persons with disabilities relating to employment; however, the precise timing and overall impact on commerce and jobs in Tennessee cannot be reasonably determined but is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

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